Calendar No. 815

97TH CONGRESS 2d Session } SENATE { REPORT No. 97-553

IRISH WILDERNESS ACT OF 1981

SEPTEMBER 20 (legislative day, SEPTEMBER 8), 1982.—Ordered to be printed

Mr. BAKER (for Mr. MCCLURE), from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 1964]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1964) to designate certain lands in the Mark Twain National Forest, Missouri, which compromise about seventeen thousand five hundred and sixty-two acres, and known as the Irish Wilderness, as a component of the National Wilderness Preservation System, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE MEASURE

S. 1964, as reported, would designate a 17,562-acre area in the Mark Twain National Forest, Missouri as a component of the National Wilderness Preservation System. The area will be named the Irish Wilderness.

BACKGROUND AND NEED

In the 96th Congress, four areas in Missouri were designated as wilderness by Public Law 95-560. Two additional areas were identified for further planning during the RARE II process. They include the areas known as the Irish Wilderness (S. 1964) and Paddy Creek, a congressionally designated wilderness study area.

S. 1964 would designate a 17,562-acre Irish Wilderness along the Eleven Point River in southern Missouri. The River is a unit of the Wild and Scenic River System.

The area was placed in the further planning category in the RARE II study because of the potential of lead and zinc being found there. The area is south of the Viburnam Trend, an active mining area in Missouri that contains 90 percent of the U.S. 1980 production of lead and 20 percent of the free world output of lead. Geological evidence

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indicates a high potential for lead-zinc deposits in the proposed Irish Wilderness. A Bureau of Mines-USGS joint mineral assessment of the area will be completed this year. The deposit is estimated to be approximately 2,000 feet below the surface thereby eliminating the possibility of vertification without drilling.

St. Joe Minerals Corporation applied to BLM for a prospecting permit on 2,400 acres of National Forest System lands in Missouri including 320 acres in the proposed Irish Wilderness. The Mark Twain National Forest has completed an environmental assessment on mineral exploration in the proposed wilderness.

The Regional Forester has selected an alternative which allows prospecting. The plan for the Mark Twain National Forest is due in 1983. The proposed Irish Wilderness is currently managed to maintain its wilderness potential.

The Irish Wilderness has long been recognized for the special attractions it offers for dispersed types of recreation. It offers beauty, a good degree of solitude, geologic features such as Whites Creek Cave or Fiddler Spring and interesting flora and fauna. Camping, hunting and hiking are a few of many visitor activities. Many visitors pass through the area to reach the Eleven Point river, a major attraction. The total dispersed use within the Irish Wilderness was estimated as 4,600 visitor-days in 1980, a 100 percent increase over 1975.

The Whites Creek Trail within the Irish Wilderness is used for hiking. In 1980, 2,800 visitor-days of use on it alone was recorded, 180 percent increase over 1975. Its main trailhead facility, Camp Five Pond, had a comparable increase.

The majority of use within the Irish Wilderness takes place from May through September with hikes and horseback riders preferring the cooler spring and fall weather. Use is heaviest on weekends and holidays. Spring turkey season and fall deer season bring temporary influxes of hunters also. While use is low during the winter months, occasional users can be encountered taking advantage of favorable weather. Whites Creek Cave is a popular destination for hikers.

The Irish Wilderness draws its name from a bit of pre-Civil War history. As a young missionary priest in frontier Missouri, Father John Hogan was deeply affected by the suffering and poverty he saw among the Irish immigrants in the railroad camps around St. Louis. He resolved to help these people acquire land of their own and start a new life. In 1858 he led the first group of about 40 Irish families to a wilderness area in southern Missouri, where they bought Government land for 12½ cents an acre. The settlers were wiped out by marauders during the Civil War years, but the name stayed with the area.

Although the original stands of pine and oak were cut down at the end of the 19th century, the basic forest cover has returned and with every passing year more closely resembles the virgin forest. Because of the large size of the wilderness area, the Irish has remained home to practically the full range of Ozark wildlife, with sightings reported of the American black bear and the eastern cougar.

The diversity of the various biological communities-terrestrial as well as aquatic-results from the combination of geology, topography, soils, plants, and animals. The area is large enough to function essentially on its own, and this is its most important value in terms of natural history.

LEGISLATIVE HISTORY

S. 1964 was introduced by Senators Eagleton and Danforth on December 15, 1981. The Subcommittee on Public Lands and Reserved Water received testimony on S. 1964 on May 27, 1982. The Administration opposes the enactment of S. 1964 in testimony given before the Subcommittee. At a business session on September 15, 1982, the Committee on Energy and Natural Resources ordered S. 1964 favorably reported.

COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources in an open business session on September 15, 1982, by unanimous vote of a quorum present recommends that the Senate pass S. 1964 as described herein.

The rollcall vote on reporting the measure was 17 yeas, 0 nays as follows:

YEAS	NAYS
Mr. McClure	
Mr. Hatfield	
Mr. Domenici	
Mr. Wallop	
Mr. Warner [1]	
Mr. Humphrey [1]	
Mr. Murkowski	
Mr. Nickles	
Mr. East [1]	
Mr. Heinz [1]	
Mr. Jackson	
Mr. Johnston [1]	
Mr. Bumpers	
Mr. Ford	
Mr. Metzenbaum	
Mr. Matsunaga [1]	
Mr. Melcher	

[1] Indicates vote by proxy.

SECTION-BY-SECTION ANALYSIS

Section 1 provides for a short title.

Section 2 designates certain lands in the Mark Twain National Forest, Missouri, as wilderness and names the area the Irish Wilderness. The lands are identified and referred by a map.

Section 3 outlines the procedures for filing the map and legal description with appropriate committees of Congress.

Section 4 states the area is to be managed in accordance with the Wilderness Act of 1964 and the Act of January 3, 1975 (Eastern Wilderness Act).

COST AND BUDGETARY CONSIDERATIONS

The Committee does not anticipate any additional budgetary impact from enactment of S. 1964, to designate certain lands in the Mark

Twain National Forest, Missouri, which comprise about 17,562 acres, and known as the Irish Wilderness, as a component of the National Wilderness Preservation System.

The measure (S. 1964) does not authorize any additional budget authority. In the event that there are any administrative costs associated with the bill, the Committee intends that any expenses be absorbed within funds otherwise available to the Department of Agriculture.

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., September 20, 1982.

Hon. JAMES A. MCCLURE,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Dirksen Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has reviewed S. 1964, the Irish Wilderness Act of 1981, as ordered reported by the Senate Committee on Energy and Natural Resources, September 15, 1982.

This bill adds approximately 17,562 acres of land in the Mark Twain National Forest, Missouri, to the National Wilderness Preservation System. Based on information from the National Forest Service, it is estimated that additional costs for the surveying, planning and related activities associated with the wilderness designation will be approximately $50,000 per year during the next three fiscal years.

The provisions of the National Wilderness Preservation Act stipulate that all timber located in units of the national wilderness preservation system be removed from the timber base of the national forest in which it is located. However, because the annual cut in the Mark Twain National Forest does not approach the maximum timber harvest allowed, no federal timber receipts are expected to be forgone as a result of enactment of this legislation.

Should the Committee so desire, we would be pleased to provide further details on this estimate.

Sincerely,

ALICE M. RIVLIN, *Director.*

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 1964 as reported. S. 1964 would designate certain lands in the Mark Twain National Forest, Missouri, which compromise about 17,562 acres, and known as the Irish Wilderness, as a component of the National Wilderness Preservation System.

The bill is not a regulatory measure in the sense of imposing Government established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little if any additional paperwork would result from the enactment of S. 1964.

EXECUTIVE COMMUNICATIONS

The pertinent legislative report received by the Committee from the Department of Agriculture setting forth Executive agency recommendations relating to S. 1964 is set forth below:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., May 26, 1982.

Hon. JAMES A. MCCLURE,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: As you requested, here is our report on S. 1964, a bill "To designate certain lands in the Mark Twain National Forest, Missouri, which comprise about seventeen thousand five hundred and sixty-two acres, and known as the Irish Wilderness, as a component of the National Wilderness Preservation System."

The Department of Agriculture recommends that S. 1964 not be enacted.

S. 1964 would designate a 17,562-acre Irish wilderness on the Mark Twain National Forest. The area would become a component of the National Wilderness Preservation System and be administered by the Secretary of Agriculture in accordance with the provisions of the 1964 Wilderness Act (78 Stat. 890) and the Act of January 3, 1975 (88 Stat. 2096).

This area is one of ten roadless and undeveloped areas on the Mark Twain National Forest that was included in the Second Roadless Area Review and Evaluation (RARE II). The area was identified for further planning during the RARE II process because of a high potential for valuable lead-zinc resources within the area.

The proposed Irish wilderness is recognized as a prime candidate for wilderness by most conservative groups. However, many local organizations and local residents support nonwilderness uses for the area. This 17,500-acre area is located along the free-flowing Eleven Point River in southern Missouri. Named for an ill-fated settlement of Irish immigrants prior to the Civil War, the area contains hollows, ridges, and bluffs that provide abundant habitat for a variety of wildlife.

The area is situated south of the Viburnum Trend, a rich lead belt that is estimated to contain 90 percent of the 1980 National output and 20 percent of the 1980 free world output for lead. Gelogical evidence indicates a high potential for valuable lead-zinc deposits within the proposed Irish wilderness. The actual mineral potential of the area will be determined through a joint Bureau of Mines-U.S. Geological Survey mineral assessment scheduled for completion this year. To date, only one application has been filed but more are anticipated. Exploratory drilling is the only means to determine the potential for this mineral resource estimated to be approximately 2,000 feet below the surface.

This further planning area will be considered for all uses, including wilderness, during development of the forest land and resource management plan currently underway. The plan for the Mark Twain National Forest is scheduled for completion in late 1983. In the interim, the area will be managed to maintain its wilderness potential. Activities permitted by prior rights, existing law and other established

uses may continue pending [redacted] position of the area. Certain exploration activities for mineral resources may occur for information gathering prior to completion of the Forest plan.

We believe wilderness designation is not appropriate at this time. We should first assess the significance of the area's mineral resource and then consider this information along with the wilderness and other resource values. Therefore, we recommend S. 1964 not be enacted at this time..

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

JOHN R. BLOCK,
Secretary.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of Rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law would be made by the bill, S. 1964, as reported.

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